

JUDGMENT DEBTOR(S)'S MOTION RETURN/RELEASE
OF WAGES EXEMPT FROM GARNISHMENT;
NOTICE OF MOTION; CERTIFICATE OF SERVICE;
GARNISHMENT CALCULATION WORKSHEET; EXHIBIT "A"

IN THE DISTRICT COURT OF THE SECOND CIRCUIT _____ DIVISION STATE OF HAWAI'I	
Plaintiff(s)	Reserved for Court Use
Defendant(s)	
	Civil No.
	Filing Party(ies)/Filing Party(ies)' Attorney (Name, Attorney Number, Firm Name (if applicable), Address, Telephone and Facsimile Numbers)

JUDGMENT DEBTOR(S)'S MOTION

FOR RETURN/RELEASE OF WAGES EXEMPT FROM GARNISHMENT

Filing Party(ies) moves this Court for an Order returning or releasing to the filing party all or a portion of wages which have been garnished because:

- 1. ☐ The amount garnished or withheld was excessive as the ☐ Federal Law ☐ State Law was more favorable to the filing party.
- 2. ☐ The Garnishee should have deducted \$_____, rather than \$_____ according to the Garnishment Calculation Worksheet, and a copy of applicable pay stub attached as Exhibit "A".
- 3. ☐ Duplicate receipts were not provided to the employer/garnishee as required by Hawai'i Revised Statutes Section 652-14.
- 4. ☐ Other (specify) _____

Date:	Signature of Judgment Debtor(s)'/Declarant: Print/Type Name:
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NOTICE OF HEARING

TO: _____:

Please take notice that this Motion will be heard before the Presiding Judge of this Court in his/her Courtroom, at the address checked on the reverse side on _____, _____, 200____, at _____ a.m. or as soon thereafter as parties may be heard.

(continued on reverse side)

Wailuku Division
Lahaina Division
Hana Division
Moloka'i Division
Lana'i Division

COURT ADDRESSES

2145 Main Street, Courtroom 3C, Third Floor, Wailuku, Hawai'i, 96793
1870 Honoapiilani Highway, Lahaina, Hawai'i , 96761
4974 Uakea Road, Hana, Hawai'i, 96713
55 Makaena Place, Kaunakakai, Moloka'i, Hawai'i, 96748
312 8th Street, Lana'i City, Lana'i, Hawai'i, 96763

Mailing address for the above Courts: **2145 Main Street, Wailuku, HI 96793, P.O. Box 284, Kaunakakai, HI 96748, P.O. Box 70, Lana'i City, HI 96763**

CERTIFICATE OF SERVICE

I certify that a copy of this Motion was served at the last known address(es) of the Opposing Party(ies) or Opposing Party(ies)' attorney on _____ by Hand-delivery **or** Mail, Postage Prepaid, at the following address(es): Judgment Creditor: _____ Employer/Garnishee _____

Date:

Signature of Filing Party(ies)/Filing Party(ies)' Attorney:

Print/Type Name:

RESPONSE TO MOTION/CERTIFICATE OF SERVICE

I DO NOT OBJECT to this Motion.

I DISAGREE with this Motion for the following reasons:
(Attach continuation page, if necessary).

Reserved for Court Use

I have read this Response, know the contents and verify that the statements are true to my personal knowledge and belief.
I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF HAWAII THAT THE ABOVE IS TRUE AND CORRECT.

CERTIFICATE OF SERVICE

I certify that a copy of this Response was served at the last known address(es) of the Opposing Party(ies) or Opposing Party(ies)' attorney on _____ by Hand-delivery **or** Mail, Postage Prepaid, at the following address(es): Judgment Creditor: _____ Employer/Garnishee _____

Date:

Signature of Responding Party(ies)/Responding Party(ies)' Attorney:

Print/Type Name:

In accordance with the **Americans with Disabilities Act** if you require an accommodation for your disability, please contact the District Court Administration Office at PHONE NO. 244-2852, FAX 244-2849, or TTY 244-2865 at least ten (10) working days in advance of your hearing or appointment date. For Civil related matters, please call 244-2838.